

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO.   <u>04-784</u></b>
<b>V.</b>	<b>:</b>	<b>DATE FILED       <u>12-14-04</u></b>
<b>HASSAN WILCOX,</b>	<b>:</b>	<b>VIOLATIONS:</b>
<b>a/k/a “Jamal Montgomery,”</b>	<b>:</b>	<b>21 U.S.C. § 846 (conspiracy to distribute</b>
<b>a/k/a “Fats”</b>	<b>:</b>	<b>cocaine base (“crack”) - 1 count)</b>
	<b>:</b>	<b>21 U.S.C. § 841(a) (possession with the</b>
	<b>:</b>	<b>intent to distribute cocaine base (“crack”)</b>
	<b>:</b>	<b>- 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 924(c)(1) (possessing a firearm</b>
	<b>:</b>	<b>in furtherance of a drug trafficking crime</b>
	<b>:</b>	<b>- 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 922(g)(1) (felon in possession</b>
	<b>:</b>	<b>of a firearm - 1 count)</b>
	<b>:</b>	<b>Notice of prior convictions</b>
	<b>:</b>	<b>Notice of additional factors</b>
	<b>:</b>	<b>Notice of forfeiture</b>

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**INDICTMENT**

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**COUNT ONE**

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**THE GRAND JURY CHARGES THAT:**

1.       From at least on or about August 14, 2002, to on or about September 19, 2002, at Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

**HASSAN WILCOX,  
a/k/a “Jamal Montgomery,”  
a/k/a “Fats,”**

conspired and agreed together and with others known and unknown to the grand jury, to knowingly and intentionally possess with intent to distribute a mixture or substance containing a

detectable amount of cocaine base (“crack”), a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(C).

### **MANNER AND MEANS**

\_\_\_\_\_ It was part of the conspiracy that:

2. Defendant HASSAN WILCOX and others known and unknown to the grand jury stored cocaine base (“crack”) inside 6147 Yocum Street and 2560 Bonnaffon Street in Philadelphia, Pennsylvania, and sold cocaine base (“crack”) to customers for cash.

### **OVERT ACTS**

\_\_\_\_\_ In furtherance of the conspiracy, and to accomplish its object, the following overt acts, among others, were performed in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania and elsewhere:

1. On or about August 14, 2002, outside of 6147 Yocum Street, Philadelphia, Pennsylvania, person #1, known to the grand jury, sold 4 packets of cocaine base (“crack”) to a customer known to the grand jury for \$20.

2. On or about September 16, 2002, from approximately 1:30 p.m. to 3:00 p.m., person #1 and person #2, known to the grand jury, stood on the porch of 6147 Yocum Street, Philadelphia, Pennsylvania and sold cocaine base (“crack”) to several unknown customers for cash.

3. On or about September 17, 2002, at approximately 1:10 p.m., defendant WILCOX drove his vehicle to 6147 Yocum Street, entered 6147 Yocum Street holding a clear plastic baggie with dark objects inside of it, left the residence approximately two minutes later counting a large sum of cash, returned to his vehicle, and left the area.

4. On or about September 17, 2002, at approximately 1:30 p.m., person #1

sold two packets of cocaine base (“crack”) to a customer known to the grand jury for \$20.

5. On or about September 18, 2002, at approximately 8:00 a.m., defendant HASSAN WILCOX drove his vehicle from 2560 Bonnaffon Street, Philadelphia, Pennsylvania, to 6147 Yocum Street, met with person #3, then handed person #3 a clear plastic baggie with dark objects inside of it, and person #3 handed defendant WILCOX a large sum of cash which defendant WILCOX counted.

6. On or about September 18, 2002, at approximately 9:45 a.m., person #1 sold a customer known to the grand jury four packets of cocaine base (“crack”) for \$20.

7. On or about September 19, 2002, inside 2560 Bonnaffon Street, Philadelphia, Pennsylvania, defendant HASSAN WILCOX possessed 25 packets of cocaine base (“crack”), a ziplock packet of marijuana, drug paraphernalia including, a Tanita scale, new and unused plastic packets, a glass pot, boxes of new plastic sandwich baggies, a razor blade, and a Sturm, Ruger & Co. 9mm semiautomatic pistol, serial number 310-73244, and 5 live PMC 9mm Luger cartridges.

All in violation of Title 21, United States Code, Section 846.

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**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 19, 2002, at Philadelphia, in the Eastern District of  
Pennsylvania, defendant

**HASSAN WILCOX,  
a/k/a “Jamal Montgomery,”  
a/k/a “Fats,”**

knowingly and intentionally possessed with intent to distribute a mixture or substance containing  
a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 19, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendant

**HASSAN WILCOX,  
a/k/a “Jamal Montgomery,”  
a/k/a “Fats,”**

knowingly possessed a firearm, that is, a Sturm, Ruger & Co. 9mm semiautomatic pistol, serial number 310-73244, and 5 live PMC 9mm Luger cartridges, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, conspiracy to possess with intent to distribute cocaine base (“crack”) and possession with intent to distribute cocaine base (“crack”), in violation of Title 21, United States Code, Sections 841(a)(1) and 846, as charged in this indictment.

In violation of Title 18, United States Code, Section 924(c)(1).

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**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 19, 2002, at Philadelphia, in the Eastern District of  
Pennsylvania, defendant

**HASSAN WILCOX,  
a/k/a “Jamal Montgomery,”  
a/k/a “Fats,”**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce, a firearm, that is, a Sturm, Ruger & Co. 9mm semiautomatic pistol, serial number 310-73244, and 5 live PMC 9mm Luger cartridges.

In violation of Title 18, United States Code, Section 922(g)(1).

## **NOTICE OF PRIOR CONVICTIONS**

### **THE GRAND JURY FURTHER CHARGES THAT:**

Defendant HASSAN WILCOX, a/k/a “Jamal Montgomery, a/k/a “Fats,” committed the offenses charged in Counts One, Two, and Four of this indictment after having been convicted in a court of the Commonwealth of Pennsylvania of two felony drug offenses and a violent felony, as follows:

1. Manufacturing, delivery, or possession with intent to manufacture or deliver a controlled substance - Philadelphia CP# 9712-0009;
2. Manufacturing, delivery, or possession with intent to manufacture or deliver a controlled substance (cocaine base/crack) - Philadelphia CP# 9804-0657; and
3. Simple assault - Philadelphia MC# 9905-4047.

**NOTICE OF ADDITIONAL FACTORS**

**THE GRAND JURY FURTHER CHARGES THAT:**

In committing the offenses charged in Counts One and Two of this indictment,  
defendant HASSAN WILCOX, a/k/a “Jamal Montgomery, a/k/a “Fats:”

- a. Was a career offender, as defined by U.S.S.G. § 4B1.1.



**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

As a result of the violations of Title 18, United States Code, Sections 924(c)(1) and 922(g)(1), as set forth in Counts Three and Four of this indictment, defendant

**HASSAN WILCOX,  
a/k/a “Jamal Montgomery,”  
a/k/a “Fats,”**

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), the firearm and ammunition involved in the commission of these offenses, that is:

-a Sturm, Ruger & Co. 9mm semiautomatic pistol, serial number 310-73244 and 5 live PMC 9mm Luger cartridges.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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**PATRICK L. MEEHAN  
UNITED STATES ATTORNEY**